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10/724,773

12/02/2003

Yinjun Zhu

20-526

1919

7590 08/14/2007  
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EXAMINER

NGUYEN, DAVID Q

ART UNIT

PAPER NUMBER

2617

MAIL DATE

DELIVERY MODE

08/14/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/724,773

Applicant(s)

ZHU, YINJUN

Examiner

David Q. Nguyen

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1-15 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Havinis (US 6,219,557) in view of Lam et al. (US 2003/0072318).

Regarding claims 1 and 6, Havinis teaches a method and apparatus for providing a User Plane location based service to a roaming wireless device, comprising: establishing a roaming interface between a wireless device (see figs 4-5 and their descriptions; wireless phone, element 20) and a visited location service manager (see figs 4-5 and their descriptions; MLC, element 270) via an intermediary home Location Services manager (see figs 4-5 and their descriptions; GMLC, element 290) associated with said wireless device(see figs 4-5 and their descriptions); and directing IP connectivity over said roaming interface between said home LCS manager and said visited LCS manager (see col. 2, lines 3 to 4, describing a data call, which is through an internet connection); whereby providing a message tunneling mechanism is formed to provide an uninterrupted communication path between a visited location service (V-LCS) manager system and said wireless device being located (see col. 5, lines 7-54). Havinis does not teach directing IP

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connectivity over the internet capable of being transmitting through a firewall in a home wireless carrier network and through a firewall in a visited wireless carrier network. However, Lam et al teach that firewalls are well known in the art, are used as filtering devices to protect networks from unauthorized access, and may be placed in various locations within networks (see par. 24). In addition, Lam teaches that it is well known to use firewalls between home carrier networks and visited carrier networks, as shown for example in fig. 1, in which a firewall is shown in use with SGSN and a GGSN. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify Havinis to include firewalls between the home and visitor carrier networks in order to protect each network from unauthorized access as taught by Lam (see par. 0024).

Regarding claim 11, Havinis teaches a method of providing a User Plane location based service to a roaming wireless device, comprising: establishing a roaming interface between a wireless device (see figs 4-5 and their descriptions; wireless phone, element 20) and a visited location service manager (see figs 4-5 and their descriptions; MLC, element 270) via an intermediary home Location Services manager (see figs 4-5 and their descriptions; GMLC, element 290) associated with said wireless device(see figs 4-5 and their descriptions); and directing IP connectivity over said roaming interface between said home LCS manager and said visited LCS manager (see col. 2, lines 3 to 4, describing a data call, which is through an internet connection); whereby providing a message tunneling mechanism is formed between a visited location service (V-LCS) manager system and said wireless device being located (see col. 5, lines 7-54 and fig. 5). Havinis does not teach directing IP connectivity over the internet capable of being transmitting through a firewall in a home wireless carrier network and through a

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firewall in a visited wireless carrier network. However, Lam et al teach that firewalls are well known in the art, are used as filtering devices to protect networks from unauthorized access, and may be placed in various locations within networks (see par. 24). In addition, Lam teaches that it is well known to use firewalls between home carrier networks and visited carrier networks, as shown for example in fig. 1, in which a firewall is shown in use with SGSN and a GGSN.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify Havinis to include firewalls between the home and visitor carrier networks in order to protect each network from unauthorized access as taught by Lam (see par. 0024).

Regarding claims 2-5, 7-10 and 12-15, Havinis in view of Lam et al teaches all the steps/elements of claims 2-5 and 7-10, including the roaming wireless device being a mobile telephone, a PDA, a wireless email device, or a wireless device including a camera (see Havinis, col. 1, lines 38-43; and Lam et al. par. 16).

### ***Conclusion***


3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Q. Nguyen whose telephone number is 571-272-7844.

The examiner can normally be reached on 8:30AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOSEPH H. FEILD can be reached on (571)272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
David Q Nguyen  
Examiner  
Art Unit 2617